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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,536	01/21/2004	Ludwig Plotz	5367-76	9230

7590 11/18/2005

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EXAMINER

VU, DAVID HUNG

ART UNIT	PAPER NUMBER
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2828

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/763,536	Applicant(s) PLOTZ ET AL.	
	Examiner David Vu	Art Unit 2828	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/21/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to because in figures 1-2, 6, and 9, the blocks should be labeled, e.g., block 2 in figure 1 should be labeled ---DRIVE CIRCUIT---; block 70 should be ---EVALUATION CIRCUIT---. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

"Means" and "said" are present in the abstract and should be deleted.

3. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

4. The disclosure is objected to because of the following informalities: it seems like the application is a direct translation from a foreign application. Applicant should make appropriate changes to the language in order to bring it into conformance with proper idiomatic English.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, the recitation "...having a lead (3), via which electronic circuit elements (6) of the circuit arrangement, in particular LED components..." renders the claim unclear as to whether the LED components are the "electronic circuit elements" or the LED components are only a part of the "electronic circuit elements".

Claims 11 and 16, the recitation "or in a comparable manner" renders the claim indefinite because it is unclear what the "comparable manner" is.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-5, 8-13, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Jansa et al (hereinafter Jansa), U.S. Pat No 6,218,790.

Jansa discloses the claimed invention including drive circuit 19; coding conductors (electrical lead) connected to LED 1 and drive circuit, see, for example, figures 1-2, column 2, column 3, lines 1-41, column 4.

Regarding claim 2, figure 2 does show "evaluation circuit" 18 which passes a control signal to drive circuit 19.

Regarding claim 3, inherently logic state "0" is for interrupted coding conductor and "1" for non-interrupted.

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Regarding claim 4, coding conductors can be connected to a power or voltage source of drive circuit 19. Coding conductors can be connected to evaluation circuit 18.

Regarding claim 5, since the evaluation circuit 18 outputs signals to driver 19, the evaluation circuit inherently includes a digital to analog converter so as to control driver 19.

Regarding claims 9-12 and 16, the lead and other elements are arranged on a printed circuit board, the lead and contact elements are arranged on a flexible printed circuit, coding conductors can be interrupted by stamping, and the lead can be connected to drive circuit 19 by plug connection 38 (column 2, column 3, lines 1-40, column 4, lines 23-60).

The word "can" throughout the claims only describes potential of the claimed elements. It is not a positive recitation and thus, should be deleted.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jansa.

Jansa as discussed from the above, essentially discloses the claimed invention but fails to explicitly disclose the D/A converter contains a resistor network. However, D/A converter with a resistor network is very well known in the art. It would have been

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obvious to one having ordinary skill in the art at the time of applicant's claimed invention was made to have employed the resistor network D/A converter; thus, digital to analog conversion would have been realized.

11. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jansa.

Jansa as discussed from the above, essentially discloses the claimed invention but fails to explicitly disclose LEDs connected in parallel. Lefebvre discloses LEDs connected in parallel, see figures 3-5. It would have been obvious to one having ordinary skill in the art at the time of applicant's claimed invention was made to have provided the Jansa with LEDs connected in parallel; thus, light intensity would have been increased. Note that the Jansa reference (column 2, lines 45+) does suggest a plurality of diodes for the purpose of increasing light intensity. The coding is apparently "correlated" by the LED brightness grouping.

Allowable Subject Matter

12. Claim 7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

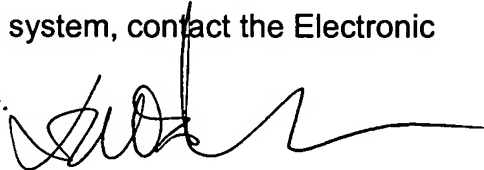
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Vu whose telephone number is (571) 272-1831. The examiner can normally be reached on M-F 8am-430pm.

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The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David Vu', with a long horizontal flourish extending to the right.

David Vu
Primary Examiner
Art Unit 2828

dv